

Service Date: May 26, 2004

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER of the cancellation and termination)
of Intrastate Certificate, PSC No. 9438, Carl James Asimus) DOCKET T-04.18.OTSC
and Joshua Harlow Stevens, a partnership dba Sumisa, 5237)
Highway 89 South #7, Livingston, Montana 59047, for failure) ORDER NO. 6548
to reactivate following 12 months of consecutive suspension.)

CANCELLATION ORDER

Carl James Asimus and Joshua Harlow Stevens, a partnership dba Sumisa, 5237 Highway 89 South #7, Livingston, Montana 59047, is the owner and operator of Intrastate Certificate of Public Convenience and Necessity PSC No. 9438, issued by the Montana Public Service Commission (Commission), pursuant to Title 69, Chapter 12, Montana Code Annotated (MCA).

The above described Intrastate Certificate holder requested and received the maximum suspension allowed under §§ 69-12-404(1) and 69-12-404(2), MCA.

The Montana Public Service Commission issued an Order to Show Cause, under the provisions of §69-12-404(2), MCA and Title 69, Chapter 12, ARM, sent by certified mail to the carrier on April 29, 2004, requiring the carrier to show cause within ten (10) days after receipt of the Order why the Public Service Commission should not cancel and terminate Intrastate Certificate PSC No. 9438. The Commission received the document back as unclaimed on May 21, 2004. The carrier has failed to show cause within the time allowed why PSC No. 9438 should not be cancelled.

NOW, THEREFORE, IT IS ORDERED that Intrastate Certificate of Public Convenience and Necessity, PSC No. 9438, owned and operated by Carl James Asimus and Joshua Harlow Stevens, a partnership dba Sumisa, 5237 Highway 89 South #7, Livingston, Montana 59047, is hereby cancelled and terminated pursuant to § 69-12-327, MCA and ARM 38.3.120. All rights and privileges granted under and by virtue of Intrastate Certificate PSC No. 9438, are hereby cancelled and terminated.

IT IS FURTHER ORDERED that a copy of this Order be sent by certified mail to the above named carrier.

DONE IN OPEN SESSION this 25th day of May, 2004, at Helena, Montana by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice-Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days, See 38.2.4806, ARM.